NOV 28 1994
P.M.B.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF MONROE

JOHN MANSOUR,

Plaintiff,

-vs-

RONALD GOLDSTOCK AND MARTIN MARCUS,

Defendants.

JUDGMENT AFTER JURY TRIAL
INDEX NO. 87-13559

The issues in the above entitled action having duly come for trial before Justice CHARLES J. SIRAGUSA and a jury at a Trial of this court, held at the Hall of Justice, Rochester, New York, on the 15th, 18th, 19th, 20th, 21st, and 22nd days of July, 1994 and the plaintiff JOHN P. MANSOUR, having appeared by his attorney JOHN P. MANSOUR, ESQ. AND PETER BLAUVELT, ESQ., TRIAL COUNSEL, and the defendants RONALD GOLDSTOCK AND MARTIN MARCUS, having appeared by their attorney, G. OLIVER KOPPELL, Attorney General of the State of New York, DIANE M. CECERO, Assistant Attorney General, of Counsel, and the issues having been duly tried, and the court having directed the jury to return a general verdict accompanied by answers to interrogatories, attached herein, and the jury having rendered a general verdict for the defendants and having returned answers to the interrogatories, attached herein,

Now, on motion of G. OLIVER KOPPELL, Attorney General of the State of New York, DIANE M. CECERO, Assistant Attorney General, of Counsel, attorney for defendants, it is

ADJUDGED that the defendants, RONALD GOLDSTOCK AND MARTIN MARCUS, have judgment against the plaintiff,

JOHN P. MANSOUR dismissing the complaint upon the merits, and it is further Adjudged that the defendants shall waive costs and disbursements.

Dated: November 18, 1994
Rochester, New York

Initials: cs

s/ Charles J. Siragusa

HON. CHARLES J. SIRAGUSA
SUPREME COURT JUSTICE

EXHIBIT
Drf
Court #1 7/22-94

VERDICT SHEET

1. Has the plaintiff proven that his protected free speech on the subject of the OTB/Herman Grand Jury report was a substantial or motivating factor on the defendants' decision to discharge him? IN

   At least five (5) jurors must agree on the answer to this question.

   YES __X__ NO ____

   Jurors who agree should sign on the lines below. If all agree, the foreperson need merely write UNANIMOUS on the first line.

   UNANIMOUS

   _____ _____

   _____ _____

   _____ _____

   Proceed to Question #2.

2. Has the plaintiff proven that his protected speech on the return of the Peterbilt truck chassis was a substantial or motivating factor in the defendants' decision to discharge him?

   At least five (5) jurors must agree on the answer to this question.

   YES __X__ NO ____

   Jurors who agree should sign on the lines below. If all agree, the foreperson need merely write UNANIMOUS on the first line.

UNANIMOUS

_____ _____

_____ _____

_____ _____

Proceed to Question #3.

3. Has the plaintiff proven that his protected speech on the recording of statements made by Mr. WUWK was a substantial or motivating factor in the defendants' decision to discharge him?

   At least five (5) jurors must agree on the answer to this question.

   YES __X__ NO ____

   Jurors who agree should sign on the lines below. If all agree, the foreperson need merely write UNANIMOUS on the first line.

UNANIMOUS

_____ _____

_____ _____

_____ _____

If your answers to Questions 1, 2 and 3 are all NO, stop and report your verdict.

If your answer is YES to any or all of Questions #1, 2 and 3 proceed to Question #4.

4. Has the plaintiff proven that his discharge from employment was a proximate cause of any economic loss he sustained?

   At least five (5) jurors must agree on the answer to this question.

   YES __X__ NO ____

   Jurors who agree should sign on the lines below. If all agree,

the foreperson need merely write UNANIMOUS on the first line.

UNANIMOUS

If your answer to Question #4 is NO, stop and report your verdict.

If your answer to Question #4 is YES, proceed to Question #5.

5. Have the defendants proven that they would have fired the plaintiff even if he had not engaged in constitutionally-protected speech because of job performance?

At least five (5) jurors must agree on the answer to this question.

YES X NO ___

Jurors who agree should sign on the lines below. If all agree, the foreperson need merely write UNANIMOUS on the first line.

s/ Debra A. Nothnagle	s/ ??????????
s/ Robert F. Spiegel Jr.	s/ Phil A. Wood
s/ Eleanor ??????	

If your answer to Question #5 is YES stop and report your verdict.

If your answer to Question #5 is NO, proceed to Question #6.

6. State separately the amount, if any, awarded to the plaintiff for the following items of damages. If you decide not to make an award as to any item, insert the word NONE as to that item.

a) Loss of Earnings $_____

b) Loss of Past Pension Benefits $_____

c) Loss of Social Security Contributions $_____

d) Loss of Sick Leave Benefits Applied Toward Health Care Insurance $_____

e) Loss of Future Pension Benefits $_____

At least five (5) jurors must agree on the answer to this question.

YES ____ NO ____

Jurors who agree should sign on the lines below. If all agree, the foreperson need merely write UNANIMOUS on the first line.

_____ _____

_____ _____

_____ _____

STOP AND REPORT YOUR VERDICT.